IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

THURSDAY, THE 1ST MARCH 2007 / 10TH PHALGUNA 1928

Crl.Rev.Pet.No. 921 of 2007

CRA.398/2003 of II ADDL. SESSIONS COURT, THIRUVANANTHAPURAM
CC.105/2002 of JUDL.MAGISTRATE OF FIRST CLASS COURT-V, TRIVANDRUM

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REVN. PETITIONER: APPELLANT/ACCUSED:

T. ASOK KUMAR, S/O.THANKAPPAN NAIR,
HOUSE NO.152, ASOK BHAVAN,
VENCHAVODE, SREEKARIYAM,
THIRUVANANTHAPURAM.

BY ADV. SRI.SABU S.KALLARAMOOLA

RESPONDENTS: COMPLAINANT & STATE:
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1. M/S. SPEEK AUTOMOBILES,
REP. BY VINCENT PAUL T.D., MANAGING PARTNER
M/S.SPEED AUTOMOBILES, KALOOR, KOCHI,
REP. BY BABU JOSEPH, PARTNER,
M/S.SPEED AUTOMOBILES, T.C.26/693,
BACKERY JUNCTION, THIRUVANANTHAPURAM.

2. STATE OF KERALA, REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR MR. AMJAD ALI

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 01/03/2007,ATHE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.R. UDAYABHANU, J.

CRL.R.P.NO.921 of 2007

DATED THIS THE 1st DAY OF MARCH 2007

ORDER

The revision petitioner stands convicted for the offence under Section 138 of the Negotiable Instruments Act and sentenced, as modified by the appellate court, to imprisonment till the rising of the court and to pay a sum of Rs.28,000/- as compensation under Section 357(3)Cr.P.C. and in default to undergo simple imprisonment for two months. The revision petitioner has sought for modification of the sentence, i.e.to reduce the amount of compensation and time to make the payment.

In the circumstances of the case that the amount is due from March 2000 onwards , I find no modification in the sentence is called for. The revision petitioner is granted four months time to make the payment. He shall appear before the Judicial First Class Magistrate-V,(Special Court for Marklist Cases), Thiruvananthapuram on 30-6-2007 to receive sentence. Non-bailable warrant is not to be issued till then. The Crl.revision petition is disposed of accordingly.

K.R.UDAYABHANU, JUDGE

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